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PATENT
Docket No.: 021630-001200US

On 1.20.05

TOWNSEND and TOWNSEND and CREW LLP

By: Aileen C. Granlund

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL CHOBOTOV et al.

Application No.: 10/029,559

Filed: December 20, 2001

For: RADIALLY EXPANDABLE
STENT (AS AMENDED)

Examiner: P. Prebilic

Art Unit: 3738

COMMUNICATION – RESPONSE TO
EXAMINER'S INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

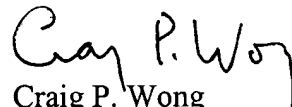
This communication is submitted in response to the Examiner's Interview Summary dated December 17, 2004, in connection with the interview conducted on December 14, 2004.

Applicants initially note that the draft proposed claim amendments were sent to the Examiner solely to facilitate the discussion. These draft claims should have no bearing on the literal scope of the pending claims or the scope of the claims under the doctrine of equivalents.

Applicants proposed amending independent claim 72 to recite that the connector elements have a "terminal distal end." In the Examiner's Interview Summary, the Examiner states that Applicant's Representatives argued that a terminal end "must be a free end based on a dictionary definition of the term." Applicants' Representatives believe that this summary is not an accurate representation of Applicants' argument. To clarify, Applicants' Representatives argued that, based on a dictionary definition of the term "terminal," the connector element as recited in the proposed claim would be "free" at the distal end insofar as this distal end is not integrally formed with another portion of the stent.

In order to recite the claimed invention with greater clarity, rather than filing the proposed amended claim 72, Applicants chose to file amended claim 72 as set forth in the response dated December 23, 2004.

Respectfully submitted,


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